

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

CARL LAPRA PRADIA, JR.,

Plaintiff,

v.

A. BECERRA, et al.,

Defendants.

No. 1:20-cv-01348-NONE-JLT (PC)

ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS

(Doc. No. 10)

Plaintiff Carl Lapra Pradia, Jr., is a state prisoner proceeding *pro se* and *in forma pauperis* in this civil rights action brought pursuant to 42 U.S.C. § 1983. This matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On May 7, 2021, the assigned magistrate judge filed a screening order, concluding that plaintiff's complaint states cognizable claims of deliberate indifference to serious medical needs against defendants Becerra and Davis, but that its remaining claims are not cognizable. (Doc. No. 8). The magistrate judge directed plaintiff to file a first amended complaint curing the deficiencies in his pleading or to notify the court of his desire to proceed only on the claims found cognizable. (*Id.* at 7-8.) The judge cautioned plaintiff that failure to comply with the order would result in a "recommend[ation] that this action proceed only on the claims found cognizable . . . and that all other claims and defendants be dismissed with prejudice." (*Id.* at 8.) Plaintiff failed to file an amended complaint or to otherwise respond to the screening order.

1 Therefore, on June 23, 2021, the magistrate judge issued findings and recommendations,
2 recommending that (1) defendants Tyler, Sherman, Canales, and Frazier be dismissed and (2) the
3 claims in plaintiff's complaint be dismissed, except for its claims of deliberate indifference to
4 serious medical needs against defendants Becerra and Davis. (Doc. No. 10.) The findings and
5 recommendations were served on plaintiff and provided him 14 days to file objections thereto.
6 (*Id.* at 2.) Plaintiff has not filed any objections, and the time to do so has passed.


7 In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C), this court has conducted a
8 *de novo* review of this case. Having carefully reviewed the file, the court finds the findings and
9 recommendations to be supported by the record and proper analysis.

10 Accordingly,

- 11 1. The findings and recommendations issued on June 23, 2021 (Doc. No. 10) are
12 adopted in full;
- 13 2. Defendants Tyler, Sherman, Canales, and Frazier are dismissed from this action;
- 14 3. The claims in plaintiff's complaint are dismissed, except for plaintiff's claims of
15 deliberate indifference to serious medical needs brought against defendants
16 Becerra and Davis, brought pursuant to 42 U.S.C. § 1983; and,
- 17 4. This case is referred back to the assigned magistrate judge for further proceedings.

18 IT IS SO ORDERED.

19 Dated: August 24, 2021

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UNITED STATES DISTRICT JUDGE